UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHIMON FELBERBAUM,   :   Case No. 1:20-cv-02735-ENV-JO
                                                         :
                    Plaintiff,   :
                                                         :
                                                         :
        vs.   :
                                                         :
                                                         :
EQUIFAX INFORMATION SERVICES, LLC,   :   **STIPULATION TO DISMISS**
EXPERIAN INFORMATION SOLUTIONS, INC.,   :
AMERICAN EXPRESS CO. and BANK OF   :
AMERICA, N.A.,   :
                                                         :
                    Defendants.   :
                                                         :
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        WHEREAS, defendant American Express National Bank ("American Express"), named

as American Express Company, has demanded that plaintiff Shimon Felberbaum ("Plaintiff")

arbitrate his claims against American Express in accordance with the operative arbitration

agreement contained in Plaintiff's American Express Cardmember Agreement;

        WHEREAS, Plaintiff has agreed to submit his claims against American Express to

arbitration;

        WHEREAS, the parties request a dismissal of this action pending the conclusion of

arbitration; and

        WHEREAS, the parties request they be provided with 120 days to reopen this action after

the issuance of a final award in arbitration;

        IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and American

Express, through their respective counsel, that: (1) all of Plaintiff's claims against American

Express in this action shall be arbitrated pursuant to the written agreement to arbitrate between

Plaintiff and American Express; (2) this matter is dismissed pending the conclusion of

MIA 31466856

arbitration; and (3) the parties shall have 120 days from the issuance of a final award in

arbitration to reopen this matter.

Dated: New York, New York   STROOCK & STROOCK & LAVAN LLP
       August 13, 2020

By: _____
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Attorneys for Defendant
    AMERICAN EXPRESS NATIONAL
    BANK, erroneously named as AMERICAN
    EXPRESS COMPANY

Dated: New York, New York   COHEN & MIZRAHI LLP
       August 13, 2020

By: _____
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Attorneys for Plaintiff
    SHIMON FELBERBAUM

Dated: August _17_, 2020   SO ORDERED:

                 /s/ENV
        _____
            ERIC N. VITALIANO
          United States District Judge

MIA 31466856